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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/797,192

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Kao-Cheng Hsieh

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10/06/2009

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EXAMINER

NGUYEN, KEVIN M

ART UNIT

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2629

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/797,192	<b>Applicant(s)</b> HSIEH, KAO-CHENG	
	<b>Examiner</b> KEVIN M. NGUYEN	<b>Art Unit</b> 2629	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 June 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on 8/26/2003. It is noted, however, that applicant has not filed a certified copy of the 092215410 application as required by 35 U.S.C. 119(b).

Applicant's amendments filed on 6/15/2009 are acknowledged and entered.

In view of the remarks, the objection of drawing and 112 rejection stand withdrawn.

Applicants have amended claims 7-10, and added new claims 11-21. Therefore, claims 7-21 are currently pending.

### ***Response to Arguments***

Applicant's arguments with respect to claims 7-21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 7-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Rensberger et al. (US 2003/0210662).

As to claim 7, Rensberger conventionally discloses a system (figure 1) comprising: a first wireless human transmitting unit (wireless mouse 1) generating configured to transmit a first signal (figure 1); the first signal comprising a first leading portion and a data portion different from the leading portion, the leading portion signal having comprising a first waveform signal having a first wavelength the first wireless human transmitting unit also generating a first data signal (see paragraph 3 discloses wireless mouse 1 generating first data packet; para. 17 discloses a first header and first packet format; para. 3 discloses computer mouse radio frequency has the first wavelength); a second wireless transmitting unit (wireless keyboard 11) configured to transmit a second signal (figure 1); the signal comprising a second leading portion signal and a data portion different from the leading portion, the leading portion comprising a second waveform signal having a second wavelength different from the first wavelength (see para. 4 discloses wireless keyboard 11 generating second data packet; para. 17 discloses a second header and second packet format; para. 4 discloses the keyboard radio frequency has the second wavelength. Paras. 9 and 10 disclose a second wavelength different from the first wavelength); a wireless human receiving unit configured to receive for receiving the first leading signal and the second signal and determine the first signal was transmitted by the first wireless transmitting unit based on the first wavelength and the second signal was transmitted by the second wireless transmitting unit based on the second wavelength (para. 24 discloses a receiver 5).

As to claim 8, Rensberger conventionally discloses the system of claim 7, wherein the first wireless transmitting unit is a wireless mouse (the wireless mouse 11, figure 1).

As to claim 9, Rensberger conventionally discloses the system of claim 7, wherein the first wireless transmitting unit is a wireless keyboard (the wireless keyboard 11, figure 1).

As to claim 10, Rensberger conventionally discloses the system of claim 7, wherein the wireless receiving unit comprises an electronic circuit configured to determine the first signal was transmitted by the first wireless transmitting unit based on the first wavelength and the second signal was transmitted by the second wireless transmitting unit based on the second wavelength (see para. 30).

As to claim 11, Rensberger conventionally discloses the system of claim 10, wherein the electronic circuit is configured to output a low level signal when the wireless receiving unit receives the first signal and a high level signal when the wireless receiving unit receives the second signal (see para. 31).

As to claim 12, Rensberger conventionally discloses the system of claim 7, wherein the first wireless transmitting unit comprises a timer configured to determine the first wavelength of the first waveform signal of the leading portion of the first signal and the second wireless transmitting unit comprises a timer configured to determine the second wavelength of the second waveform signal of the leading portion of the second signal (para. 5 discloses a basic time unit).

As to claim 13, Rensberger conventionally discloses the system of claim 12, wherein the timer of the first wireless transmitting unit is set with a first time parameter configured to generate the first waveform signal having the first wavelength and the timer of the second wireless transmitting unit is set with a second time parameter different from the first time parameter configured to generate the second waveform signal having the second wavelength (see paras. 6-16).

As to claim 14, Rensberger conventionally discloses the system of claim 7, wherein the first wireless transmitting unit and the second wireless transmitting unit transmit the first and second signals, respectively, using the same transmit frequency (see para. 21).

As to claim 15, Rensberger conventionally discloses a system (figure 1) comprising: a first wireless transmitting unit (wireless mouse 1) comprising means for generating a first signal comprising a leading portion and a data portion different from the leading portion, the leading portion comprising a first waveform signal having a first wavelength and means for transmitting the first signal to a wireless receiving unit (para. 3 discloses wireless mouse 1 generating first data packet; para. 17 discloses a first header and first packet format; para. 3 discloses computer mouse radio frequency has the first wavelength); a second wireless transmitting unit configured to generate a second signal comprising a leading portion and a data portion different from the leading portion, the leading portion comprising a second waveform signal having a second wavelength different from the first wavelength and means for transmitting the second signal to the wireless receiving unit (para. 4 discloses wireless keyboard 11 generating second data packet; para. 17 discloses a second header and second packet format; para. 4 discloses the keyboard radio frequency has the second wavelength. Paras. 9 and 10 disclose a second wavelength different from the first wavelength); a wireless receiving unit (5, figure 1) comprising means for receiving the first signal and the second signal and means for determining the first signal was transmitted by the first wireless transmitting unit and the second signal was transmitted by the second wireless transmitting unit based on the first and second wavelengths (para. 24 discloses a receiver 5).

As to claim 16, Rensberger conventionally discloses a wireless receiving unit for use with a plurality of wireless transmitting units (figure 1), each wireless transmitting unit transmitting a signal having a leading portion and a data portion different from the leading portion, the leading portion comprising a waveform signal, each of the waveform signals transmitted by the plurality of wireless transmitting units having a different wavelength (paras. 3 and 4 discloses each wireless transmitting signals transmitted by two wireless input devices 1 and 11; para. 3 discloses different radio frequency has the different wavelength); the wireless receiving unit (5, figure 1) comprising: a wireless receiving module configured to receive the signals transmitted by the plurality of wireless transmitting units; and an electronic circuit configured to distinguish the signals received from one another based on differences in the wavelengths of the waveform signals of the leading portions of the received signals (para. 24 discloses a receiver 5).

As to claim 17, Rensberger conventionally discloses the wireless receiving unit of claim 16, wherein the electronic circuit is configured to output a signal having a different signal level for each different wavelength of the waveform signals of the leading portions of the received signals (para. 31).

As to claim 18, Rensberger conventionally discloses the wireless receiving unit of claim 16, wherein the electronic circuit is a charging and discharging circuit (receiver 5 inherently has a charging and discharging circuit).

As to claim 19, Rensberger discloses a method comprising: receiving a first signal lacking a device identifier from a first wireless transmitting unit, the first signal having a leading portion preceding a data portion, the leading portion having a waveform signal with a first wavelength; receiving a second signal lacking a device identifier from a second wireless

transmitting unit, the second signal having a leading portion preceding a data portion, the leading portion having a waveform signal with a second wavelength; and determining the first signal was transmitted by the first wireless transmitting unit and the second signal was transmitted by the second wireless transmitting unit based on the first and second wavelengths (see paragraphs 61 and paragraph 62).

As to claim 20, Rensberger discloses the method of claim 19, further comprising: at the first wireless transmitting unit (#1), transmitting the first signal (D11); and at the second wireless transmitting unit (#2), transmitting the second signal (D12) (see figure 3).

As to claim 21, Rensberger conventionally discloses the method of claim 19, further comprising: identifying first data in the first signal; sending the first data to a first driver in a computer for processing thereby; identifying second data in the second signal; and sending the second data to a second driver in a computer for processing thereby (see paragraph 21).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,



however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is (571)272-7697. The examiner can normally be reached on Monday-Thursday from 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on (571)272-7687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin M Nguyen/  
Primary Examiner, Art Unit 2629

/KMN/  
October 6, 2009